

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1194

House Bill No. 1214*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3050(a)(2), is amended by designating subdivision (A) as subdivision (A)(i) and adding the following as a new subdivision:

(ii) Home schools that teach kindergarten through grade twelve (K-12), where the parents are associated with and where students are enrolled with a public charter school authorized by the Tennessee public charter school commission pursuant to § 49-13-106(k) that are supervised by the public charter school's director and that administer or offer standardized achievement tests, are exempt from this section.

SECTION 2. Tennessee Code Annotated, Section 49-6-3050(a)(2), is amended by designating subdivision (B) as subdivision (B)(i) and adding the following as a new subdivision:

(ii) Parent-teachers who register with a public charter school authorized by the commission pursuant to § 49-13-106(k) for conducting a home school for students in grades nine through twelve (9-12) must possess at least a high school diploma or a high school equivalency credential approved by the state board of education.

SECTION 3. Tennessee Code Annotated, Section 49-13-105, is amended by deleting subsection (a) and substituting instead the following:

(a) There is established the Tennessee public charter school commission as an independent state entity for the purpose of serving as a public charter school authorizer and the LEA for any public charter school it authorizes. The commission has the authority to authorize public charter schools on appeal of a local board of education's decision to deny a public charter school application, and the authority to directly



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authorize public charter schools as provided in this chapter. A public charter school that is authorized by the commission must operate within the geographic boundaries of the LEA that denied approval of the initial public charter school application or within the geographic boundaries of the LEA in which the commission has approved the charter sponsor to locate. The commission may adopt policies and procedures for the commission and the commission's authorized public charter schools.

SECTION 4. Tennessee Code Annotated, Section 49-13-106, is amended by designating subsection (e) as subdivision (e)(1) and adding the following as a new subdivision:

(2) Notwithstanding subdivision (e)(1), a public charter school authorized by the commission pursuant to subsection (k) or (l) shall not charge registration fees, enrollment fees, or tuition.

SECTION 5. Tennessee Code Annotated, Section 49-13-106(f), is amended by adding the following as a new subdivision:

(3) Notwithstanding subdivision (f)(1):

(A) Public charter schools authorized by the commission pursuant to subsection (k) may be formed to provide quality educational options for all home school students residing within this state; and

(B) Public charter schools authorized pursuant to subsection (l) may be formed to provide a residential or boarding program for all at-risk students in grades six through twelve (6-12) residing within this state.

SECTION 6. Tennessee Code Annotated, Section 49-13-106, is amended by designating subsection (i) as subdivision (i)(1) and adding the following as a new subdivision:

(2)

(A) Notwithstanding subdivision (i)(1):

(i) If the sponsor seeks to establish a public charter school pursuant to subsection (k), then the sponsor shall apply directly to the commission; and

(ii) If the sponsor seeks to establish a public charter school pursuant to subsection (l), then the sponsor may apply to the local board of education or directly to the commission.

(B) A sponsor applying to establish a public charter school pursuant to subsection (k) or (l) must comply with § 49-13-107.

SECTION 7. Tennessee Code Annotated, Section 49-13-106, is amended by adding the following as new subsections:

(k)

(1) The commission may directly authorize a public charter school to provide home school students in this state the opportunity to enroll in, and the student's parent the opportunity to associate with, the public charter school to provide high-quality instruction to the parent's student in accordance with this subsection.

(2)

(A) A public charter school authorized by the commission pursuant to this subsection (k) must provide classroom instruction to enrolled students no less than three (3) days per week.

(B) A parent of a student enrolled in the public charter school shall provide home school instruction to the parent's student no less than two (2) days per week. Notwithstanding another law to the contrary, a parent of a student enrolled in the public charter school may elect for the public charter school to provide remote instruction to the parent's student for two (2) days per week instead of the parent providing home school instruction. A public charter school that provides remote instruction to students pursuant to this subdivision (k)(2)(B) must track student attendance each day remote instruction is provided, and shall implement policies and procedures for the public charter school to request and

receive daily visual, verbal, or written confirmation of student participation in such instruction.

(C) Notwithstanding another law to the contrary, a public charter school authorized by the commission pursuant to this subsection (k) may provide more or less than the six and one-half (6 1/2) hours of daily instruction required by law for students enrolled in the public charter school; provided, that the public charter school provides, at a minimum, the one hundred eighty (180) days of instruction required in § 49-6-3004.

(3) A public charter school authorized by the commission pursuant to this subsection (k) may enroll home school students residing in this state, regardless of whether the LEA in which the public charter school is located has an out-of-district enrollment policy or a policy prohibiting out-of-district enrollment. If the number of enrollment applications exceeds the capacity of a program, class, grade level, or building, then the public charter school shall not conduct an enrollment lottery, but shall maintain a waitlist to notify parents and students if space is available.

(4) Home school instruction provided by the parent of a student enrolled in a public charter school authorized by the commission pursuant to this subsection (k) must align with the academic standards adopted by the state board of education for the student's grade level and for the respective subject.

(5) The commission, in consultation with the state board of education, may promulgate rules to effectuate this subsection (k). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(l)

(1)

(A) A local board of education or the commission may directly authorize a public charter school to provide a residential or boarding program for at-risk students in grades six through twelve (6-12). A public charter school authorized pursuant to this subsection (l) to provide a residential or boarding program may be a separate-sex school that only enrolls students of a respective sex, as defined in § 49-2-802.

(B) This subdivision (l)(1) does not prohibit the commission from authorizing a public charter school for purposes of this subsection (l) on appeal of a local board of education's decision to deny a public charter school application for purposes of this subsection (l).

(C) The governing body of a public charter school in operation on July 1, 2023, may petition the authorizer to amend the original charter agreement to allow the public charter school to provide a residential or boarding program for at-risk students in grades six through twelve (6-12) in accordance with the timelines for approval and the appeal process determined by the commission pursuant to § 49-13-110(d) and its rules.

(2) As used in this subsection (l), "at-risk" means students who are:

(A) "Economically disadvantaged," as defined in Tennessee's Every Student Succeeds Act (ESSA) plan established pursuant to the Every Student Succeeds Act (20 U.S.C. § 6301 et seq.);

(B) Homeless, foster, runaway, or migrant students;

(C) Members of a family with a household income that meets the eligibility requirements for free or reduced-price lunch, as determined pursuant to 42 U.S.C. § 1771;

(D) At risk of educational disadvantage due to circumstances of abuse, neglect, or disability; or

(E) At risk of state custody due to family dysfunction.

(3) A public charter school authorized pursuant to this subsection (l) may enroll students residing in this state, regardless of whether the LEA in which the public charter school is located has an out-of-district enrollment policy or a policy prohibiting out-of-district enrollment. If the number of enrollment applications exceeds the public charter school's residential or boarding capacity, then the public charter school shall not conduct an enrollment lottery, but shall maintain a waitlist to notify parents and students if space is available.

(4) Notwithstanding another law to the contrary, a public charter school authorized pursuant to this subsection (l) must be operated on a year-round basis, which shall not operate to reduce the level of state support to the public charter school. The commissioner of education shall make adjustments necessary to accommodate the public charter school's year-round operation so as not to diminish state financial support. The charter agreement for a public charter school authorized pursuant to this subsection (l) shall specify the date by which the school year must commence. Notwithstanding another law to the contrary, a public charter school authorized pursuant to this subsection (l) may provide more or less than the six and one-half (6 1/2) hours of daily instruction required by law for students enrolled in the public charter school.

(5) The commission, in consultation with the state board of education, may promulgate rules to effectuate this subsection (l). The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 8. Tennessee Code Annotated, Section 49-13-107(b), is amended by adding the following as a new subdivision:

(23) A plan for the construction, development, or purchase of residential or boarding facilities, if the proposed public charter school intends to provide a residential or boarding program for students pursuant to § 49-13-106(l), including a copy of all

required permits, certificates, or other documentation evidencing the sponsor's ability to secure, provide, and safely operate the proposed residential or boarding program.

SECTION 9. Tennessee Code Annotated, Section 49-13-113, is amended by deleting subsections (b) and (c) and substituting instead the following:

(b)

(1) A public charter school authorized by the commission is open to any student residing within the geographic boundaries of the LEA in which the public charter school is located. A public charter school authorized by the commission may enroll students residing outside the geographic boundaries of the LEA in which the public charter school is located pursuant to the out-of-district enrollment policy of the LEA in which the public charter school is located and in compliance with §§ 49-6-3003 and 49-6-403(f), unless the LEA in which the public charter school is located has a policy prohibiting out-of-district enrollment.

(2) Notwithstanding subdivision (b)(1), a public charter school authorized by the commission pursuant to § 49-13-106(k) or § 49-13-106(l) is open to all students residing within this state. A public charter school authorized by the commission pursuant to § 49-13-106(k) or § 49-13-106(l) may enroll students residing outside the geographic boundaries of the LEA in which the public charter school is located, regardless of whether the LEA has an out-of-district enrollment policy or a policy prohibiting out-of-district enrollment.

(c)

(1) A public charter school authorized by a local board of education may enroll students residing outside the geographic boundaries of the LEA in which the public charter school is located pursuant to the LEA's out-of-district enrollment policy and in compliance with §§ 49-6-3003 and 49-6-403(f).

(2) Notwithstanding subdivision (c)(1), a public charter school authorized by a local board of education pursuant to § 49-13-106(l) may enroll students

residing outside the geographic boundaries of the LEA in which the public charter school is located, regardless of whether the LEA has an out-of-district enrollment policy or a policy prohibiting out-of-district enrollment. A public charter school authorized by a local board of education pursuant to § 49-13-106(l) shall not charge registration fees, enrollment fees, or tuition.

SECTION 10. Tennessee Code Annotated, Section 49-13-113(d), is amended by deleting subdivision (3) and substituting instead the following:

(3)

(A) If the number of applications exceeds the capacity of a program, class, grade level, or building, the public charter school shall select students through a lottery. The enrollment preference for returning students provided in subdivision (d)(2) excludes those students from entering into a lottery.

(B) Notwithstanding subdivision (d)(3)(A), if the number of enrollment applications for a public charter school authorized pursuant to § 49-13-106(k) or § 49-13-106(l) exceeds the capacity of a program, class, grade level, or building, then the public charter school shall not conduct an enrollment lottery, but shall maintain a waitlist to notify parents and students if space is available.

SECTION 11. Tennessee Code Annotated, Section 49-13-113(d), is amended by designating subdivision (5) as subdivision (5)(A) and adding the following as a new subdivision:

(B) Notwithstanding subdivision (d)(5)(A), a public charter school authorized pursuant to § 49-13-106(k) or § 49-13-106(l) shall not give an enrollment preference to children of a teacher or member of the governing body of the public charter school.

SECTION 12. Tennessee Code Annotated, Section 49-13-121, is amended by deleting subsection (a) and substituting instead the following:

(a) The governing body of a public charter school seeking renewal shall, no later than April 1 of the year prior to the year in which the charter expires, submit a renewal application on the application form developed by the department of education to:

- (1) The local board of education, if the local board of is the authorizer;
- (2) The commission, if the public charter school is authorized pursuant to § 49-13-106(k) or if the commission is the authorizer for a public charter school authorized pursuant to § 49-13-106(l); or
- (3) The commission or the local board of education, if the commission is the authorizer and the charter school is not authorized pursuant to § 49-13-106(k).

SECTION 13. For purposes of promulgating rules, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect January 1, 2024, the public welfare requiring it.

Amendment No. _____

Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1117*

House Bill No. 1411

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

(a) If a parent's, legal custodian's, or legal guardian's consent is required pursuant to this title for the parent's, legal custodian's, or legal guardian's student to receive or participate in instruction, an activity, an evaluation, an assessment, a survey, or an analysis offered by the student's LEA or public charter school, then the LEA or public charter school must obtain written consent from the student's parent, legal custodian, or legal guardian authorizing the student to receive or participate in the instruction, activity, evaluation, assessment, survey, or analysis.

(b) This section does not require written consent from a student's parent, legal custodian, or legal guardian before the student may be administered a standardized academic assessment.

SECTION 2. Tennessee Code Annotated, Section 49-2-211, is amended by deleting subsection (b) and substituting:

(b) The policy must:

(1) Allow a parent, legal custodian, or legal guardian access to review all surveys, analyses, or evaluations prior to being administered to the parent's, legal custodian's, or legal guardian's student; and

(2) Require the LEA to obtain the written consent of a student's parent, legal custodian, or legal guardian before the student may participate in a survey,



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analysis, or evaluation. A parent, legal custodian, or legal guardian may withdraw the parent's, legal custodian's, or legal guardian's consent at any time before the student participates in the survey, analysis, or evaluation.

SECTION 3. Tennessee Code Annotated, Section 49-6-1305(b), is amended by deleting the subsection and substituting:

(b)

(1) Before an LEA provides instruction in family life to a student, the LEA must first receive written, informed consent from the student's parent, legal custodian, or legal guardian authorizing the student to receive the instruction.

(2) A student's parent, legal custodian, or legal guardian may consent to the student only receiving a certain portion of the instruction being provided by the LEA or public charter school in family life.

(3) A student whose parent, legal custodian, or legal guardian does not consent to the student receiving instruction in family life or who only consents to the student receiving a certain portion of any such instruction, is excused from receiving instruction in family life or from receiving the portions of any such instruction to which the parent, legal custodian, or legal guardian has not consented in writing to the student receiving.

(4) A student who is excused from any or all portions of instruction being provided in family life must not be penalized for grading purposes if the student performs alternative health lessons.

SECTION 4. Tennessee Code Annotated, Section 49-6-1308(b), is amended by deleting the subsection and substituting:

(b)

(1) Before an LEA or public charter school provides instruction of a sexual orientation curriculum or gender identity curriculum to a student, the LEA or public charter school must first receive written, informed consent from the

student's parent, legal custodian, or legal guardian authorizing the student to receive the instruction.

(2) A student's parent, legal custodian, or legal guardian may consent to the student only receiving a certain portion of the instruction of a sexual orientation curriculum or gender identity curriculum being provided by the LEA or public charter school.

(3) A student whose parent, legal custodian, or legal guardian does not consent to the student receiving instruction of a sexual orientation curriculum or gender identity curriculum, or who only consents to the student receiving a certain portion of any such instruction, is excused from receiving instruction of a sexual orientation curriculum or gender identity curriculum, or from receiving the portions of any such instruction to which the parent, legal custodian, or legal guardian has not consented in writing to the student receiving.

(4) A student who is excused from any or all portions of the instruction of a sexual orientation curriculum or gender identity curriculum being provided shall not be penalized for grading purposes if the student performs alternative health lessons.

SECTION 5. Tennessee Code Annotated, Section 49-1-1002, is amended by deleting subdivision (b)(2) and substituting:

(2) An LEA or public charter school must obtain written consent from a student's parent, legal custodian, or legal guardian in order for the student to receive health services provided through the LEA's or public charter school's coordinated school health program. The written consent required in this subdivision (b)(2) must be obtained by the LEA or public charter school before the student receives any such services; and

SECTION 6. Tennessee Code Annotated, Section 49-6-1031(b), is amended by deleting the subsection and substituting:

(b) A school shall not allow a student to become a member of a club or organization, or allow a student to participate in any activity of a club or organization, unless the student's parent, legal custodian, or legal guardian first provides consent to the student's membership or participation in a writing that is signed and dated.

SECTION 7. This act takes effect July 1, 2023, the public welfare requiring it.

House K-12 Subcommittee Am. #1

Amendment No. _____

Signature of Sponsor

AMEND Senate Bill No. 897

House Bill No. 520*

by deleting Section 2 and renumbering the subsequent section accordingly.

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____



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Amendment No. _____

Signature of Sponsor

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Comm. Amdt. _____

AMEND Senate Bill No. 999

House Bill No. 849*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 3, is amended by adding the following as a new section:

- (a) This section is known and may be cited as the "Rural Schools Innovation Act."
- (b) As used in this section:
- (1) "Department" means the department of education;
 - (2) "Rural area" means a geographic area that is not an urban area;
 - (3) "Rural district" means an LEA in a rural area that serves students in any of the grades nine through twelve (9-12);
 - (4) "Rural pathway partnership" or "partnership" means a cooperative between at least two (2) rural districts, at least one (1) institution of higher education partner; and at least one (1) workforce-focused entity; and
 - (5) "Urban area" means a geographic area delineated as an urban area by the United States census bureau following the 2020 decennial census.
- (c) The department shall create and implement a two-year pilot program that awards grants to rural pathway partnerships to expand access to high-quality college and career pathways for students in grades nine through twelve (9-12). The department shall begin accepting grant applications for the pilot program no later than September 1, 2023, and shall distribute grants to partnerships no later than December 1, 2023.
- (d) To be eligible to receive a grant pursuant to this section, a partnership must:



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(1) Be evidenced by a memorandum of understanding that must, at a minimum:

(A) Be an agreement between:

(i) At least two (2) rural districts, but not more than three (3) rural districts;

(ii) At least one (1) institution of higher education partner; and

(iii) At least one (1) workforce-focused entity;

(B) Specify the roles and responsibilities of each signatory;

(C) Include the rural pathway partnership's goals that include, at a minimum:

(i) Ambitious and measurable performance goals for students enrolled in the partnership's rural districts in grades nine through twelve (9-12) that are aligned with college and career readiness measures and longitudinal postsecondary participation and employment outcomes; and

(ii) Expanding access for the students enrolled in the partnership's rural districts in grades nine through twelve (9-12) to high-quality, robust college and career pathways that are aligned with regional labor market projections for high-wage, high-demand careers, and that are supported by partnerships with regional higher education and workforce organizations to align systems, smooth transitions, and facilitate early college credit and work-based learning opportunities for students; and

(D) Include the resources each signatory agrees to contribute in the interest of achieving the goals identified in the rural pathway partnership's agreement;

(2) Explain how grant funds will be used to achieve the goals specified in the memorandum of understanding;

(3) Identify the nonprofit organization that will provide technical assistance to the partnership for the design and launch of the partnership;

(4) Explain how the college and career pathways the partnership plans to implement are aligned with the regional labor market projections for high-wage, high-demand careers; and

(5) Identify the LEA that will serve as the fiscal agent for the partnership for purposes of the grant.

(e) Subject to appropriations, the total amount of grants provided to partnerships pursuant to this section is three million dollars (\$3,000,000). The department shall award a grant pursuant to this section to one (1) partnership from each grand division that meets the requirements of subsection (d). If multiple partnerships from one (1) grand division apply and qualify for a grant pursuant to this section, then the department shall award the grant to the partnership that has submitted the strongest partnership agreement, as determined by the department, that is best aligned with regional workforce needs, and has presented evidence of the partnership's preparedness to meet the needs of the students enrolled in the partnership's rural districts. For purposes of this subsection (e), a partnership's location is determined by the domicile of the partnership's fiscal agent identified pursuant to subdivision (d)(5).

(f) If a partnership receives a grant pursuant to this section, then the partnership shall:

(1) Be governed by a coordinating intermediary organization that:

(A) Is constituted as a legal entity authorized to contract and employ staff in this state;

(B) Establishes a governing body that is made up of members representing kindergarten through grade twelve (K-12) education, higher

education, and workforce leaders in this state to encourage collaboration across systems;

(C) Employs at least one (1) person with knowledge and skills necessary to lead the development and implementation of a rural pathway partnership;

(D) Operationalizes the partnership;

(E) Creates college and career pathways for the students enrolled in grades nine through twelve (9-12) in a rural district of the partnership; and

(F) Establishes the budget for the partnership;

(2) Not use more than seventy percent (70%) of the grant funds it receives to implement its partnership agreement;

(3) Ensure that the partnership's coordinating intermediary organization receives a sufficient portion of the seventy percent (70%) allocation to enable it to effectively fulfill its responsibilities, as provided in subdivision (f)(1); and

(4) Use at least thirty percent (30%) of the grant funds it receives to contract with a nonprofit organization with the ability to provide the technical assistance necessary to enable the design and launch of an effective partnership that includes, but that is not limited to, project management, support in convening stakeholders, planning and facilitating key meetings, analyzing local labor market conditions, and increasing capacity to ensure teams are aligned and focused on a vision for the partnership. Technical assistance must be provided by a nonprofit experienced with similar programs in other states.

(g) The department shall:

(1) Study and evaluate the effectiveness of the pilot program; and

(2) Submit a report, by December 1, 2025, to the chairs of the education committee of the senate, the education administration committee of the house of

representatives, and the education instruction committee of the house of
representatives on the department's evaluation of the pilot program.

(h) This section is repealed on December 1, 2025.

SECTION 2. This act is not an appropriation of funds, and funds must not be obligated
or expended pursuant to this act unless the funds are specifically appropriated by the general
appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.